



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX  
*Corporation Counsel*

Andrew J. Rauchberg  
phone: 212-356-0891  
email: [arauchbe@law.nyc.gov](mailto:arauchbe@law.nyc.gov)

May 15, 2023

**BY ECF**

Hon. Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *V.B. obo C.M. v. N.Y. City Dep't of Educ.*  
Index No. 22 CV 9555 (RA)(JLC)

Dear Judge Abrams:

I am an Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York and attorney for the Defendant New York City Department of Education in the case referenced above. I write to respectfully request that a document recently filed by the Department of Education be sealed, removed from the publicly available portion of the ECF docket, or that its viewing level be changed.

In its papers in opposition to Plaintiffs' motion for summary judgement, the Department of Education attached an administrative decision concerning the Student C.M. It was filed as ECF document 26-1. Plaintiffs' counsel noticed that the document contains C.M.'s full name (upon review, I see that it also contains V.B.'s name). The document contains sensitive information concerning C.M. and his educational needs. It was an error not to redact C.M. and V.B.'s names, and it is also inconsistent with the Department's obligations under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

Accordingly, the Department respectfully requests that this document either be sealed, removed from the publicly available portion of the docket, or that its viewing level be changed to "selected parties." Pursuant to ECF Rules and Instructions 21.7, I have already contacted the ECF Helpdesk and I believe that the document will be temporarily placed under seal, pending this application. I will refile the document with Plaintiffs' names redacted (and will leave only their initials).

Thank you for your consideration of this request.

Respectfully submitted,

s/

Andrew J. Rauchberg  
Assistant Corporation Counsel

cc: Noelle Boostani, Esq.  
Law Office of Noelle Boostani  
Attorneys for Plaintiff

Application granted. Defendant shall refile a redacted version of the document, and the unredacted version shall be removed from the public docket.

SO ORDERED.

A handwritten signature in blue ink, appearing to be 'RA', is written over a horizontal line.

Hon. Ronnie Abrams  
May 16, 2023